

House of Representatives

Chamber Action

Measures Introduced: 23 public bills, H.R. 3452–3474; 1 private bill, H.R. 3475; and 4 resolutions, H. Con. Res. 321–322 and H. Res. 435–436, were introduced. **Pages H10977–78**

Additional Cosponsors: **Pages H10978–79**

Reports Filed: Reports were filed today as follows:

H.R. 2571, to provide for the financing of high-speed rail infrastructure, amended (H. Rept. 108–278, Pt. 2);

H. Res. 434, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–352);

H.R. 587, to amend title 40, United States Code, to add Ashtabula, Mahoning, and Trumbull Counties, Ohio, to the Appalachian region, amended (H. Rept. 108–353).

Conference report on H.R. 1588, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2004 (H. Rept. 108–354); and

H. Res. 437, waiving points of order against the conference report to accompany the bill (H.R. 1588) to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 108–355). **Pages H10563–H10973, H10976–77**

Healthy Forests Restoration Act of 2003—Motion to go to Conference: The House disagreed to the Senate amendments to H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and agreed to a conference. **Pages H10462–69**

The House agreed to the Stenholm motion to instruct conferees on the bill by a voice vote.

Pages H10463–69

Appointed as conferees: From the Committee on Agriculture: Representatives Goodlatte, Boehner, Jenkins, Gutknecht, Hayes, Stenholm, Peterson (MN) and Dooley (CA); from the Committee on Re-

sources: Representatives Pombo, McInnis, Walden (OR), Renzi, George Miller (CA) and Inslee; from the Committee on the Judiciary: Representatives Sensenbrenner, Smith (TX) and Conyers. **Page H10469**

Federal Prison Industries Competition in Contracting Act of 2003: The House passed H.R. 1829, to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations, by a yeas-and-nays vote of 350 yeas to 65 nays, Roll No. 612.

Pages H10469–H10510

The amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the bill, and considered as an original bill for the purpose of amendment was agreed to by a voice vote.

Page H10509

Agreed to:

Toomey amendment (No. 1 printed in the Congressional Record of November 4) that will prohibit Federal Prison Industries from bidding on contracts that have been reserved for small businesses;

Page H10488

Smith of Michigan amendment that allows a contract to be made to Federal Prison Industries using other than competitive procedures; **Pages H10488–89**

Maloney amendment that extends the same power that the Department of Defense contracting officer has to the contracting officers of various civilian agencies; **Pages H10491–92**

Waters amendment that increases the per hour wage earned by inmates with less than two years remaining on their prison terms; **Pages H10495–96**

Hoekstra amendment that further expands the inmate work programs in conjunction with non-profit organizations; and **Pages H10501–03**

Strickland amendment that requires that funds expended under the bill for services or goods must be manufactured in the United States. **Pages H10507–08**

Rejected:

Green of Wisconsin amendment (No. 8 printed in the Congressional Record of November 5) that sought to require the comptroller general to conduct

a study of the effects of eliminating the mandatory source requirements for Federal Prison Industries, as specified in the bill; **Pages H10480–87**

Scott of Virginia amendment (No. 4 printed in the Congressional Record of November 4) that sought to restore the mandatory source authority by striking the section of the bill that permits the government contracting agency, during the transition period when FPI's mandatory source authority is phased out, to accept a contract bid from FPI only if certain production and price conditions are met, and instead requires the contracting agency to accept FPI's bid subject only to the percentage caps on total sales outlined in the bill; **Pages H10490–91**

Scott of Virginia amendment (No. 5 printed in the Congressional Record of November 4) that sought to strike the section of the bill that prohibits Federal Prison Industries and state prison industries from contracting for work to provide services; **Pages H10496–97**

Green of Wisconsin amendment (No. 7 printed in the Congressional Record of November 5) that sought to permit the Attorney General to postpone phasing out the Federal Prison Industries mandatory source rule for at least one year if it can be determined that the phase out would significantly threaten prison operations or prison safety (rejected by a recorded vote of 91 ayes to 325 noes, Roll No. 610; and **Pages H10492–94, H10508**

Jackson-Lee amendment that sought to place a three year sunset provision on the Act if the Attorney General determines that the Act creates a significant or adverse effect on the public or on prison operations or safety (rejected by a recorded vote of 100 ayes to 313 noes, Roll No. 611.

Pages H10504–07, H10509

Withdrawn:

Scott of Virginia amendment (No. 6 printed in the Congressional Record of November 4) that was offered and subsequently withdrawn, that would have established a pilot program to provide inmates with additional work opportunities and authorizes funding over five years for the program.

Pages H10498–H10501

The House agreed to H. Res. 428, the rule providing for consideration of the bill on Wednesday, November 5.

Fair and Accurate Credit Transaction Act of 2003—Motion to go to Conference: The House disagreed to the Senate amendments to H.R. 2622, to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and agreed to a conference. **Pages H10514–15**

The House agreed to the Frank of Massachusetts motion to instruct conferees on the bill by a voice vote. **Pages H10514–15**

Appointed as conferees: Representatives Oxley, Bereuter, Bachus, Castle, Royce, Ney, Kelly, Gillmor, LaTourette, Biggert, Sessions, Frank (MA), Kanjorski, Sanders, Waters, Watt, Gutierrez, Hooley (OR), and Moore. **Page H10515**

Labor/HHS Appropriations—Motion to Instruct Conferees: The House agreed to the DeLauro motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, by a yea-and-nay vote of 310 yeas to 101 nays, Roll No. 613. **Pages H10510–11**

Later the House agreed Bell motion to instruct conferees on the bill by a voice vote. **Pages H10515–20**

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: The House rejected the Becerra motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, by a yea-and-nay vote of 197 yeas to 207 nays, Roll No. 614. **Pages H10511–12**

Medicare Prescription Drug and Modernization Act of 2003—Motion to Instruct Conferees: The House rejected the Capps motion to instruct conferees on H.R. 1, to amend title XVIII of the Social Security Act to provide for a voluntary prescription drug benefit under the Medicare program and to strengthen and improve the Medicare program, by a yea-and-nay vote of 197 yeas to 209 nays, Roll No. 615. **Page H10512**

Later the House debated the Cardoza motion to instruct conferees on the bill. Further proceedings on the motion were postponed until a later date.

Pages H10528–34

Vietnam Veterans Memorial Visitors Center Act: The House agreed to the Senate amendments to H.R. 1442, to authorize the design and construction of a visitor center for the Vietnam Veterans Memorial—clearing the measure for the President.

Pages H10512–14

Energy Policy Act of 2003—Motion to Instruct Conferees: The House debated the Filner motion to instruct conferees on H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people. Further proceedings on the motion were postponed until a later date.

Pages H10521–28

Senate Message: Message received from the Senate today appears on page H10459.

Senate Referral: S. 589 was ordered held at the desk.

Presidential Message: Read a message from the President wherein he transmitted notification of the proposed use of funds appropriated under the District of Columbia Appropriations Act of PL 108–7, the Consolidated Appropriations Resolution, 2003, to reimburse the District for emergency planning and security costs—referred to the Committee on Appropriations and ordered printed (H. Doc. 108–140).

Page H10534

Order of Business—National Defense Reauthorization Conference Report: Agreed by unanimous consent that the managers on the part of the House have until 6 a.m. on Friday, November 7 to file the conference report on H.R. 1588, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces.

Page H10537

Recess: The House recessed at 11:17 p.m. and reconvened at 8:16 a.m. on Friday, November 7.

Pages H10558, H10563

Adjournment: The House met at 10 a.m. and adjourned at 8:17 a.m. on Friday, November 7.

Committee Meetings

APPLICATION FOR CONTRACT MARKET DESIGNATION OF U.S. FUTURES EXCHANGE LLC BEFORE CFTC

Committee on Agriculture: Held a hearing to review the application for contract market designation of the United States Futures Exchange LLC before the Commodity Futures Trading Commission. Testimony was heard from James E. Newsome, Chairman, CFTC; and public witnesses.

COMPUTER VIRUSES

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled “Computer Viruses: The Disease, the Detection, and the Prescription for Protection.” Testimony was heard from public witnesses.

“MUTUAL FUNDS: WHO’S LOOKING OUT FOR INVESTORS?”

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises concluded hearings entitled “Mutual Funds: Who’s Looking Out for Investors?” Testimony was heard from William Francis Galvin, Chief Securities Regulator, Secretary, State of Massachusetts; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 2751, amended, GAO Human Capital Reform Act of 2003; H.R. 2886, amended, Department of Homeland Security Financial Accountability Act; H. Res. 274, honoring John Stockton for an outstanding career, congratulating him on his retirement, and thanking him for his contributions to basketball, to the State of Utah, and to the Nation; H. Res. 373, amended, expressing the sense of Congress with respect to the Women’s United Soccer Association; H. Con. Res. 69, expressing the sense of Congress that Althea Gibson should be recognized for her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of sports; H. Con. Res. 299, honoring Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America; H. Con. Res. 313, to urge the President, on behalf of the United States, to present the Presidential Medal of Freedom to His Holiness, Pope John Paul II, in recognition of his significant, enduring, and historic contributions to the causes of freedom, human dignity, and peace and to commemorate the Silver Jubilee of His Holiness’ inauguration of his ministry as Bishop of Rome and Supreme Pastor of the Catholic Church; H.R. 2130, to redesignate the facility of the United States Postal Service located at 650 Kinderkamack Road in River Edge, New Jersey, as the “New Bridge Landing Post Office;” H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the “Walter F. Ehrfelt, Jr. Post Office Building;” H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the “George Henry White Post Office Building;” S. 1590, to redesignate the facility of the United States Postal Service, located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the “James E. Davis Post Office Building;” and S. 1718, to designate the facility of the United States Postal Service located at 3710 West 73rd Terrace in Prairie Village, Kansas, as the “Senator James B. Pearson Post Office.”

FIRST RESPONDER INTEROPERABILITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations and the Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a joint hearing on “First Responder Interoperability: Can You Hear Me